

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WILLIAM E. DUGAN, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
v.)	NO. 07 C 6887
)	
LANDS OF DISTINCTION, LLC, an)	JUDGE MILTON I. SHADUR
Illinois limited liability company,)	
)	
Defendant.)	

ORDER

This matter coming on to be heard upon the Motion of Plaintiffs, by their counsel, it appearing to the Court that the Defendant, LANDS OF DISTINCTION, LLC, an Illinois limited liability company, having been regularly served with process and having failed to appear, plead or otherwise defend, and default of said Defendant having been taken, the Court, first being fully advised in the premises and upon further evidence submitted herewith, FINDS:

1. It has jurisdiction of the subject matter herein and of the parties hereto.
2. The Defendant is bound by the terms of the collective bargaining agreement referred to in the Complaint of Plaintiffs.
3. The Defendant is obligated to make contributions to each of the Plaintiff Funds in accordance with collective bargaining agreement.
4. The Defendant is bound by all the terms and conditions set forth in the Agreements and Declarations of Trust governing the Plaintiff Funds.

5. Pursuant to such Agreement and Declaration of Trust, Plaintiffs are entitled to examine the payroll books and records of an Employer required to make contributions to the Plaintiff Funds.

6. Such audits are to be made and conducted by the accountants of the Plaintiff Funds.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED:

A. That Defendant make available to the accounting firm of Graff, Ballauer & Blanski, P.C., Accountants for the Plaintiff Funds, within thirty (30) days of the entry of this Order, its payroll books and records covering the period of April 1, 2006 through the present date for which it is found that contributions are required to be made, and that an account be taken as to all employees of the Defendant covered by the collective bargaining agreement referred to in the Complaint of the Plaintiffs, as to wages received and hours worked, and determination be made of amount due Plaintiffs.

B. The Court hereby retains jurisdiction of this cause and all of the parties hereto for the purpose of enforcing this Order.

ENTER:


UNITED STATES DISTRICT JUDGE

DATED: Feb 21, 2008

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she caused a copy of the foregoing document (Order) to be served upon:

Mr. Ronald J. Carr, Registered Agent
Lands of Distinction, LLC
307 Ramona Avenue
Elgin, IL 60120

Mr. Ronald J. Carr, Registered Agent
Lands of Distinction, LLC
850 Hampton Court
West Chicago, IL 60185

by U.S. Mail on or before the hour of 5:00 p.m. this 6th day of February 2008.

/s/ Cecilia M. Scanlon

Cecilia M. Scanlon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6288574
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: cscanlon@baumsigman.com

\\AMOEJ\Lands of Distinction\order for audit.cms.df.wpd